(12)

No. 03-1234
Vide 03-1230
Title: Mid-Con Freight Systems, Inc., et al., Petitioners
v.
Michigan Public Service Commission, et al.
Docketed: March 2, 2004
Lower Ct: Court of Appeals of Michigan
Case Nos.: (226052, 226122, 226053, 226137)
Decision Date: March 11, 2003
Discretionary Court
Decision Date: December 3, 2003
Questions Presented

~~Date~~~	~~~~~~~~Proceedings and Orders~~~~~~~~~~~~~~~~~~~~~~~~
Feb 26 2004	Petition for a writ of certiorari filed. (Response due April 1, 2004)
Mar 18 2004	Order extending time to file response to petition to and including May 3, 2004.
May 3 2004	Brief of respondents Michigan Public Service Commission, et al. in opposition filed.
May 14 2004	Reply of petitioners Mid-Con Freight Systems, Inc., et al. filed.
May 18 2004	DISTRIBUTED for Conference of June 3, 2004.
Jun 7 2004	The Solicitor General is invited to file a brief in this case expressing the views of the United States.
Dec 17 2004	Brief amicus curiae of United States filed. VIDED.
Dec 29 2004	DISTRIBUTED for Conference of January 14, 2005.
Jan 5 2005	Supplemental brief of respondents Michigan Public Service Commission, et al. filed. VIDED. (Distributed)
Jan 5 2005	Supplemental brief of petitioners Mid-Con Freight Systems, Inc., et al. filed. (Distributed)
Jan 14 2005	Petition GRANTED limited to the following question: Whether the $100 fee upon vehicles operating solely in interstate commerce is preempted by 49 U.S.C. 14504.
Jan 21 2005	The orders granting the petitions for writs of certiorari are amended to read as follows: The petitions for writs of certiorari are granted limited to the following questions: 1) "Whether the $100 fee upon vehicles conducting intrastate operations violates the Commerce Clause of the United States Constitution." 2) "Whether the $100 fee upon vehicles operating solely in interstate commerce is preempted by 49 U.S.C. §14504." The cases are consolidated and a total of one hour is allotted for oral argument. (See 03-1230)
Feb 1 2005	Motion to deconsolidate the cases or, in the alternative, enlargement of time for oral argument and for divided argument filed by petitioners. VIDED.
Feb 7 2005	Response to petitioners' motion to deconsolidate the cases. VIDED.
Feb 21 2005	Joint appendix filed. VIDED.
Feb 22 2005	SET FOR ARGUMENT ON Tuesday, April 26, 2005.
Feb 25 2005	Brief of petitioners Mid-Con Freight Systems, Inc., et al. filed. VIDED.
Feb 28 2005	Brief amicus curiae of United States in support of petitioners filed.
Mar 9 2005	Letter filed by petitioners' to supplement their motion for divided argument (VIDED).
Mar 15 2005	Motion of the Acting Solicitor General for leave to participate in oral argument as amicus curiae and for divided argument filed. VIDED.
Mar 16 2005	Joint response by petitioners to the motion of the Acting Solicitor General for leave to

	participate in oral argument as amicus curiae and for divided argument. VIDED
Mar 16 2005	Record received from Court of Appeals of Michigan. (1 box)
Mar 25 2005	CIRCULATED.
Apr 4 2005	The motion to deconsolidate the cases or in the alternative to enlarge the time is Denied. The motion for divided argument is Granted to be divided as follows: 15 minutes for petitioners in 03-1230; 10 minutes for petitioners in 03-1234; 25 minutes for respondents; and 10 minutes for United States. VIDED.
Apr 4 2005	Motion of the Acting Solicitor General for leave to participate in oral argument as amicus curiae and for divided argument GRANTED. VIDED.
Apr 4 2005	Brief of respondents Michigan Public Service Commission, et al. filed. VIDED. (Distributed)
Apr 18 2005	Record received from Circuit Court of Michigan. (2 boxes)
Apr 19 2005	Reply of petitioners Mid-Con Freight Systems, Inc., et al. filed. VIDED. (Distributed)
Apr 20 2005	Record received from Supreme Court of Michigan. (1 envelope)
Apr 26 2005	Argued. For petitioners in 03-1230: Robert Digges, J., Alexandria, VA. For petitioners in 03-1234: James H. Hanson, Indianapolis, Ind. For respondents: Henry J. Boynton, Assistant Solicitor General, Lansing, Mich.; and Malcolm L. Stewart, Assistant to the Solicitor General, Department of Justice, Washington, D.C. (for United States, as amicus curiae.)